

Exhibit 3

From: [Capotosto, Laura](#)
To: [Darcie Brault \(DBrault@MichWorkLaw.com\)](mailto:DBrault@MichWorkLaw.com)
Cc: [Burchfield, Bobby](#); [Rogaczewski, Joshua](#)
Subject: RE: Reese v. CNH Global N.V.: Rebuttal Expert Disclosure Deadline
Date: Wednesday, November 06, 2013 9:11:36

Darcie,

We seem to have 3 open issues, so let me deal with them in turn.

I. Sharon Schaeffer. Under FRCP 30(a)(2)(A)(ii), a witness may be deposed only once in a case without leave of court. Ms. Schaeffer was already deposed on October 18, 2005. Although we are not inflexible on this issue, we had asked you to explain why you need to reopen her deposition. You have not responded. Assuming you have a sufficient explanation, she can be available on November 15, the date you requested, in Racine. CNH has produced all documents relating to the pension benefits that the Magistrate has ordered it to produce. We are not aware of any authority requiring her to perform computer runs during her deposition, and are not inclined to have her do so, but would be happy to look at any authority supporting your request for her to do so if you have any.

II. CNH's experts. Plaintiffs have declined all the dates previously proposed for deposing Mr. Macey and Mr. Stahl. Because, like you and Mr. Radtke, we and the experts also have other obligations, you and Mr. Radtke will need to show some flexibility in scheduling. We understand that Mr. Macey is available on November 19 and 20, and December 4. We understand that Mr. Stahl is available on November 21 and 22, and December 6. Please let us know which dates work for you as soon as possible.

III. Rebuttal reports of Plaintiffs' experts. We had previously asked when we will receive the rebuttal reports of Plaintiffs' experts. You have not responded. Please respond promptly so that we will know whether to raise this issue with Judge Duggan. Also, please propose dates for their depositions.

Thank you very much.

Laura J. Capotosto
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From: Darcie Brault [mailto:DBrault@MichWorkLaw.com]
Sent: Tuesday, November 05, 2013 10:13 AM
To: Capotosto, Laura
Cc: Burchfield, Bobby; Rogaczewski, Joshua

Subject: RE: Reese v. CNH Global N.V.: Rebuttal Expert Disclosure Deadline

Counselors,

I'd like to know whether Schaeffer can be available on 11/15 so that I can make travel arrangements. Please advise.

The dates provided for Macey and Stahl are too soon, for the reasons stated in my motion to extend the scheduling order and several emails to you and your partners. We plan to serve discovery today and will need to responses prior to the deposition dates. Please provide available dates after December 15 for Macey and Stahl.

Darcie R. Brault, Esq.

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From: Capotosto, Laura [<mailto:Lcapotosto@mwe.com>]

Sent: Friday, November 01, 2013 6:04 PM

To: Darcie Brault

Cc: Burchfield, Bobby; Rogaczewski, Joshua

Subject: RE: Reese v. CNH Global N.V.: Rebuttal Expert Disclosure Deadline

Darcie,

Is it your position that your rebuttal expert disclosures are due on the date requested in your motion (December 16, 2013)? It seems implausible that the court would enter a new scheduling order with the same infirmities as the one that existed at the time of your motion.

We are working to determine whether Sharon Schaeffer can be deposed on November 15, 2013. I understand that she has been out of the office this week. As you know, Sharon has already been deposed in this case. What do you intend to cover in her upcoming deposition that was not covered in her previous one?

While we are talking about deposition dates, have you had a chance to consider the dates we offered for Scott Macey and John Stahl?

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From: Darcie Brault [<mailto:DBrault@MichWorkLaw.com>]
Sent: Friday, November 01, 2013 2:35 PM
To: Capotosto, Laura
Cc: Rogaczewski, Joshua; Burchfield, Bobby
Subject: RE: Reese v. CNH Global N.V.: Rebuttal Expert Disclosure Deadline

Laura,

I disagree.

Was someone going to get back to me about the deposition of Sharon Schaeffer? I suggested November 15, 2013.

Darcie R. Brault, Esq.

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From: Capotosto, Laura [<mailto:Lcapotosto@mwe.com>]
Sent: Friday, November 01, 2013 2:24 PM
To: Darcie Brault
Cc: Burchfield, Bobby; Rogaczewski, Joshua
Subject: Reese v. CNH Global N.V.: Rebuttal Expert Disclosure Deadline

Darcie,

We have reviewed yesterday's order. We read the 60-day extension as applying to the discovery deadline, not the rebuttal expert disclosure deadline set by Magistrate Judge Komives. Please let us know if you disagree.

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